

ZONING BOARD OF APPEALS
TOWN OF LLOYD
AGENDA
Thursday, August 8, 2024

CALL TO ORDER TIME: 7:00 PM

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS: GENERAL, NO SMOKING, LOCATION OF FIRE EXITS, ROOM CAPACITY IS 49, PURSUANT TO NYS FIRE SAFETY REGULATIONS. PLEASE TURN OFF ALL CELL PHONES.

Attendance: Board Members: John Litts, Paul Gargiulo, Bill Brown, Russ Gilmore, Jessica Van Houten, Mike Guerriero; Board Staff: Sarah Van Nostrand

Absent: Board Members: Shawn Zerafa and Corey Miller.

New Business

Sessa, Danielle: Area Variance: 5 Lisa Dr: SBL #95.2-7-29

Applicant is seeking an area variance of 7.5 feet for a shed that the previous owner built.

Danielle (Applicant) said that the shed was on the property when they bought it in June. Apparently, it is too close to the property line, so they need 7.5 feet. It is a large shed; she doesn't think it would be possible to move it. The previous owner applied for a variance and the process was not complete before the closing and then they got the letter of complaint from the town.

John said that you are going to have to go through the same steps the previous owner did. A lot of the groundwork has been done for you. The board is going to pick up where it was left off with the previous applicant. He knows the board had asked for pictures taken from the neighbor's vantage point, wanted to put a couple of flags on the actual edge of the property line. What the board would like her to do is put a couple of flags or ribbon around the property line, take a couple of pictures from every different angle you can, so you can supply the board with as much information as possible. The only thing that the board may look to do is like put some shrubbery or greenery to block the viewshed for your neighbors. He thinks there are pine trees there now, so it is a pretty decent hedge as it stands. When the board looks at the pictures what they may do is propose stipulation that it has to stay in perpetuity or something in kind, just for the viewshed.

John asked for a motion to set a public hearing for next month.
Motion made by Russ, 2nd by Bill.
All ayes, motion passed to set the public hearing for next month.

New Public Hearings

Valentino, Kathleen: Area Variance: 281 Perkinsville Rd: SBL #95.4-2-22.522

Applicant is seeking an area variance of 0.11-acres to be able to build a two-family house.

John asked the board if there was anything that they needed from the applicant.

Paul asked if the property was in the Ag Zone.

John said it is in the Ag Zone.

Kathleen (applicant) said that she is not in the Ag Zone, but there is property next to her that is.

John said your zone is Agricultural. Your house isn't agricultural, it's like 2-acre zoning, that's why you need the .11 acres because you need 4-acres for the density.

Bill asked what is the total acreage you have.

Kathleen said for that lot 3.89.

John said it would be 3.89 acres, since she is looking for .11-acres.

Bill said it has to be 4-acres.

Kathleen said it sits back about two footballs fields from the road, you cannot see it.

John asked for a motion to open the public hearing.

Motion made by Paul, 2nd by Russ.

All ayes, motion passed to open the public hearing.

No public comment

John said that the board will leave the hearing open and go through the balancing test and do a straw poll.

1. Undesirable change in neighborhood character or to nearby properties?

John said given the distance between the other properties and the road that it is a minor variance, he doesn't believe that there will be an undesirable change in the character of the neighborhood.

Board agrees.

2. Whether benefit can be achieved by other means feasible to applicant?

John said feasible probably not. Short of purchasing more land or actually not doing it. He does not see a feasible alternative for granting the variance.

Board agrees.

3. Whether the request for relief is substantial?

John said in his view it is not substantial, given that the applicant has provided some information on what the building is going to look like, it's going to look like a single-family, it's not overly large. He doesn't see where the variance is substantial.

Board agrees.

4. Whether the request will have adverse physical or environmental effects?

John said it will not, there will be no environmental impact.

Board agrees.

5. Whether alleged difficulty is self-created?

John said yes, it is self-created.

Board agrees.

Straw Poll:

Bill-aye

Russ-aye

John-aye

Paul-aye

Jessica-aye

Administrative:

Minutes to approve:

July 11, 2024

John asked for a motion to approve the minutes.

Motion made by Russ, 2nd by Bill.

All ayes, motion passed to approve the minutes.